

nearly a century.” *Brandt v. Rutledge*, 2022 WL 16957734, at *1 n.1 (8th Cir. Nov. 16) (Stras, J., joined by Gruender, Erickson, Grasz, Kobes, JJ., dissental) (quoting *Dobbs*, 142 S.Ct. at 2245-46, for the principle that “[t]he regulation of a medical procedure that only one sex can undergo does not trigger heightened constitutional scrutiny”).

The Act challenged here equally protects Tennessee minors of both sexes. Rational-basis review applies, just as it governs “other health and safety measures.” *Dobbs*, 142 S.Ct. at 2246. This standard is “highly deferential” and “designed to respect the constitutional prerogatives of democratically accountable legislatures” rather than to “second-guess a state’s medical and scientific judgments,” as Plaintiffs mistakenly ask the Court to do for this medical regulation. *Bristol Reg’l Women’s Ctr., P.C. v. Slatery*, 7 F.4th 478, 483 (6th Cir. 2021) (en banc) (reversing decision of this Court permanently enjoining enforcement of Tennessee abortion regulation).

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CERTIFICATE OF SERVICE

I hereby certify that on June 21, 2023, the undersigned filed the foregoing document via this Court's electronic filing system, which sent notice of such filing to the following counsel of record:

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